## IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION

UNITED STATES OF AMERICA ex rel.  JEFFREY H. LIEBMAN and DAVID M.  STERN, M.D.	
Plaintiff,	Case No. 3:17-CV-00902
v. )	District Judge William L. Campbell, Jr.
METHODIST LE BONHEUR HEALTHCARE, METHODIST HEALTHCARE-MEMPHIS HOSPITALS,	Magistrate Judge Barbara D Holmes
Defendants.	

#### **JOINT STATUS REPORT**

The United States and Defendants Methodist Le Bonheur Healthcare and Methodist Healthcare-Memphis Hospitals ("Methodist") submit this joint status report pursuant to the Court's Order dated September 25, 2023. (Dkt. No. 456.) On September 22, 2023, the parties jointly moved for a two-week extension of pending deadlines and to postpone the motion hearing scheduled for October 5, 2023. (Dkt. No. 453.) At the parties' request, the Court held a telephonic conference later that day to further discuss the requested extension, and it granted the parties' motion. (Dkt. No. 456.)

Since September 22, 2023, the parties have not resolved the issues discussed during the telephonic conference. By the close of business on October 6, 2023, the United States intends to file a motion to enforce the settlement agreement it believes has been reached between the parties. The United States respectfully asks the Court to stay this case – with the exception of the coming enforcement motion – until the Court rules on the motion. Alternatively, the United States requests that the Court consider and rule on the enforcement motion before resetting other deadlines in this case. *See* Fed. R. Civ. P. 1 (the rules should be construed and administered to "secure the just,"

speedy, and inexpensive determination of every action and proceeding").

Methodist will oppose the motion to enforce the settlement agreement because it believes the United States and Methodist have not reached agreement as to material terms of a settlement. If the government files a motion to stay this long-running case, Methodist will oppose that motion. Methodist requests that the motion hearing previously scheduled for October 5, 2023 (*see* Dkt. No. 447) be reset at the Court's earliest convenience, and that the deadline for the parties to confer and file a joint notice regarding the subject motions be reset for ten days in advance of the new hearing date.

### Respectfully submitted,

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#### **CERTIFICATE OF SERVICE**

I hereby certify that a true and exact copy of the foregoing has been served on the following counsel via the Court's CM/ECF email notification system on this the 5th day of October, 2023:

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